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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 09/773,943	<b>Applicant(s)</b> JACOBY ET AL.
	<b>Examiner</b> CHRISTOPHER TOKARCZYK	<b>Art Unit</b> 3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 02 July 2010.  
 2a) This action is **FINAL**.      2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1,2 and 4-26 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1,2 and 4-26 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449)  
     Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
     Paper No(s)/Mail Date \_\_\_\_\_

5) Notice of Informal Patent Application  
     Paper No(s)/Mail Date \_\_\_\_\_

6) Other: \_\_\_\_\_

## DETAILED ACTION

### *Status of Claims*

1. This action is in reply to the response and amendments filed July 12, 2011.
2. Claim 1 has been amended.
3. Claim 3 has been canceled.
4. Claims 1, 2, and 4-26 are pending.

### *Claim Rejections - 35 USC § 103*

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. Claims 1, 2, and 4-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holtz et al. (U.S. Patent Number 6,760,916) (hereinafter "Holtz"), in view of Gupta et al. (U.S. Patent Number 7,111,009) (hereinafter Gupta), and further in view of Abecassis (U.S. Published Patent Application 2001/0041053 A1) (hereinafter "Abecassis").

Holtz qualifies as prior art under 102(e) and includes a chain of CIP applications to an earliest effective date of January 14, 2000. The parent application 09/634,735 filed August 8, 2000, which is also

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incorporated by reference in Holtz, has been relied upon previously in order to demonstrate full support for the teachings used against the present claims and will continue to be applied here. References to Holtz will refer to page and line number of the specification of 09/534,735 in this Office Action.

**Claim 1:** Holtz, as shown, discloses the following limitations:

*in response to selection of a link in a browser at a user computer (see [70:8-22]):*

In an embodiment of the present invention, the Internet user 2950 can browse the web page and select the entire show or segments from the show for "on-demand" viewing. After user 2950 makes the selection by clicking on one or more icons, processing unit 102 for system 100 would load and execute the prerecorded show script file to feed the video show over the Internet, or subscript files of selected segments to user 2950. In a preferred embodiment, system 100 creates a network interface transition macro, retrieves the time codes for the selected show segment(s) from the show script file, integrates the time codes into the network interface transition macro, and executes the network interface transition macro to feed the video to user 2950. In another embodiment, System 100 creates a "bin" play list for "on-demand" play out. Once user 2950 selects a show or segments of a show, the selected video clips (identified by time code 20 stamps and identification labels) are stored in the play out "bin" in the appropriate sequence as identified by user 2950. Once all of the segments are assembled in the "bin" in the appropriate order, play out begins for viewing by user 2950.

Clicking on an icon on a webpage is selecting a link in a browser and triggers loading the browser content), *building a frame set in a window of said browser, said frame set comprising a media player frame to experience content from a media player executing at said user computer (see [72:11-19]):*

In one embodiment, information about the video show can be streamed to a web page by the broadcasting station directly from system 100. The information can include a schedule listing the contents and duration of the show, or data relative to a live segment or story that is currently being broadcasted. The data can be located on side panels or frames of the web page synchronized with the segment or story. Data is entered into system 100 and linked via the transition macro to the appropriate segment or story. As system 100 "steps" through the show from one segment to the next, the data changes in sync with the segment as assembled on the transition macro.

The video is streamed to a webpage having multiple frames. The video is played in one of those frames) and *a data frame (see [72:11-19]: disclosing displaying information on side panels or frames of the webpage. The data may be displayed in a separate frame next to the video frame), the link comprising streaming media content identification information (see [70:8-22]: disclosing the server delivering the*

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selected show based on the user making a selection by clicking on the icon. In order for the server to deliver the appropriate show or content, the link must include information about the show requested. This information used to identify the particular show or content is a streaming media content identifier) *and a streaming advertisement parameter, said streaming advertisement parameter specifying a position of a streaming advertisement in a content stream comprising said streaming media content;*

*in further response to the selection of the link, making, at said user computer, a request for a playlist to a source on a network, said request including the link's streaming media content identification information* (see [70:8-22]: disclosing the server delivering the selected show based on the user making a selection by clicking on the icon. Clicking on the link is making the request. In order for the server to deliver the appropriate show or content, the link must include information about the show requested. This information used to identify the particular show or content is a streaming media content identifier; see also [70:8-22]: each of the selected clips is identified by time codes and identification labels) *and the link's streaming advertisement parameter;*

*receiving said playlist at said user computer in response to said request* (see [72:11-19]: disclosing information about the video show can be streamed to a web page by the broadcasting station directly from the system. This information can include a scheduling listing the contents and duration of the show, or data relative to a live segment or story that is currently being broadcasted. This information is the playlist that the user selected), *said playlist's contents comprising a reference identifying said streaming media content in accordance with the link's streaming media content identification information* (see [70:8-22]):

In another embodiment, System 100 creates a "bin" play list for "on-demand" play out. Once user 2950 selects a show or segments of a show, the selected video clips (identified by time code 20 stamps and identification labels) are stored in the play out "bin" in the appropriate sequence as identified by user 2950. Once all of the segments are assembled in the "bin" in the appropriate order, play out begins for viewing by user 2950.

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The user selects a set of desired media clips in a certain order, and the system creates a "bin" playlist defining the collection of desired clips in the specific order. Each clip/segment in the collection represented by the playlist is identified, i.e., referenced, by time code stamps and identification labels. After the playlist is complete, the streaming media referenced therein, i.e., the content of the playlist, is delivered to the player in the user's browser), *and said playlist or said content stream including an indicator that indicates when said streaming advertisement should be played in relation to said streaming media content in said content stream* (see [72:20-30]:

In one embodiment, the show script file includes links to dynamic and/or static advertisements. While a video show is being broadcasted over network 2910, the advertisements are streamed at specified intervals and durations with the video show. In an embodiment, the advertisements are located on the side panels of the same frame or window. In another embodiment, the advertisements 25 are streamed in separate frames. In another embodiment, the advertisements are streamed prior to the display of the related segment video. The advertisements can be stored as separate files on server 2905, and loaded, placed and played according to icon placements on the transition macro time sheet 299. The advertisements can provide a hyperlink directly to the web site for the sponsor of 30 the advertisement.

Advertisements may be streamed at specified intervals and durations with the video show. The content stream includes the streaming advertisements, which are an indication of their own presence; see also [72:11-19]: disclosing information about the video show can be streamed to a web page by the broadcasting station directly from the system. This information can include a scheduling listing the contents and duration of the show, or data relative to a live segment or story that is currently being broadcasted, and would include advertisement segment information) *accordance with the link's streaming advertisement parameter;*

*receiving, at said user computer, said streaming advertisement and said streaming media content in accordance with said playlist's contents* (see [70:23-71:10]: disclosing streaming the media content to the user);  
*receiving HTML content related to said content stream in the browser window* (see [72:11-19]: disclosing sending data related to the streaming content to side panels or frames of the webpage

synchronized with the segment or story. The data displayed on a webpage is HTML content. The HTML content is related to the content stream in the browser window); *and*

*simultaneously playing said content stream in said media player frame and displaying said HTML content in said data frame* (see [72:11-19]: disclosing sending data related to the streaming content to side panels or frames of the webpage synchronized with the segment or story. The synchronized content is displayed simultaneously).

Although Holtz discloses the user building a playlist at the user's computer and the user receiving both the playlist media content and information, including scheduling listing the contents and duration of the show or data relative to a live segment or story that is currently being broadcasted, Holtz does not specifically disclose the user's browser receiving a playlist file in order to accomplish the streaming delivery of the customized sequence of media segments.

However, Gupta, as shown, discloses the following limitations:

*receiving said playlist at said user computer in response to said request* (see [15:42-59]):

Upon selection of the play option, interface 150 of FIG. 3 provides the list of annotation identifiers being displayed to web browser 153 (or other multimedia presentation application) in the order of their display, including the target identifier and temporal range information. Thus, web browser 153 receives a list of multimedia segments that it is to present to the user in a particular order. Web browser 153 then accesses media server 11 to stream the multimedia segments to client 15 for presentation in that order.

The list of annotation identifiers (the playlist) with corresponding target identifier and temporal range information is provided to the user's web browser; see also [16:14-27]:

Web browser 153, knowing the duration of each of the segments being provided to client computer 15, forwards additional messages to media server 11 to continue with the provision of the next segment, according to the playlist, when appropriate. By managing the delivery of the media segments to client computer 15 in such a manner, web browser 153 can keep the media segments being provided to the user in a seamless manner.

The playlist is used to ensure continuous play).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the playlist to the web browser as taught by Gupta in the system disclosed by Holtz,

because Gupta teaches that using the playlist in this manner can keep the media segments being provided to the user in a seamless manner (see [16:14-27]).

Although Holtz discloses the link comprises streaming media content identification information, the request includes streaming media content identification information, and delivering advertising content in accordance with specific indicators and at specific times (see above), neither Holtz nor Gupta specifically disclose that the link contains a streaming advertisement parameter that specifies a position of a streaming advertisement in the content stream, the request includes streaming advertisement parameter, or the indicator indicates when the said streaming advertisement should be played in accordance with the link's streaming advertisement parameter.

However, Abecassis, as shown, teaches:

*the link comprising streaming media content identification information and a streaming advertisement parameter, said streaming advertisement parameter specifying a position of a streaming advertisement in a content stream comprising said streaming media content* (see [0385]):

A random access pointcast architecture provides the means for a viewer to select and retrieve a desired advertisement, and provides the means to compensate the viewer for the verified apparent viewing of the advertisement. Such a system provides a closer match between the viewer's interest and the object of the advertisement, and further increases the potential purchase by the viewer of the promoted product or service, than a system directed to an inclusion/exclusion determination.

In the content on demand system, the viewer can select and retrieve desired advertisements; see also [0383]: disclosing that any aspect of the invention that applies to video also applies to advertisements. As discussed above Holtz discloses a system (see [70:8-22]) in which a user creates a playlist by selecting a series of show segments or clips. The clips are identified by time code stamps and identification labels. When these segments/clips are advertisements, each advertisement will also have time code stamps (a streaming advertisement parameter) and identification labels (stream media content identification information), which are also transmitted when the user send the playlist to the server to retrieve the videos);

*said request including the link's streaming media content identification information and the link's streaming advertisement parameter* (as discussed above, each of the selected clips, including the advertisements, is identified by time codes and identification labels. The request includes this information because they identify the content and placement in the delivered video stream); *and*

*said playlist or said content stream including an indicator that indicates when said streaming advertisement should be played in relation to said streaming media content in said content stream in accordance with the link's streaming advertisement parameter* (as discussed above, the content stream includes the streaming videos and advertisements, which are indications of their own presence. Further, they are delivered in accordance to the placement information of the time codes).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made allow the user to select advertisements, as taught by Abecassis, when selecting videos and creating a playlist in the video distribution system disclosed by the combination of Holtz and Gupta, because Abecassis teaches that a user may select video advertisements to watch in order to reduce the charges incurred by the viewer in the selection of other video services for which the viewer may incur a charge (see [0386]).

**Claim 2:** The combination of Holtz, Gupta, and Abecassis discloses the limitations shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

*wherein receiving HTML content related to said content stream includes providing the HTML content in said data frame in response to execution of an embedded command in the content stream* (see [73:1-15]: disclosing embedding polling or opinion gathering technologies directed to the content of a specific show segments. When a show is assembled for broadcast, the appropriate poll is streamed at the designated interval with the related show segment. The content stream includes the polling/opinion gathering technologies to be executed in the browser; see also [73:16-24]: disclosing inserting URL hyperlinks into the media streams), *wherein said HTML content is related to said content stream being*

*experienced in said media player frame* (see [73:1-15]. The polling/opinion gathering technologies are related to the specific show segments).

**Claim 4:** The combination of Holtz, Gupta, and Abecassis discloses the limitations shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

*logging play of any advertisement on a server* (see [74:11-20]: "The web page is configurable to support monitoring and data logging to track web hits, advertisement hits, billing, and costs." The web hits and advertisement hits, representing the playing of any advertisement, are logged).

**Claim 5:** The combination of Holtz, Gupta, and Abecassis discloses the limitations shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

*receiving an embedded script command in said content stream, the embedded script command referencing said HTML content related to said content stream being experienced in said media player frame* (see [73:1-15]; disclosing embedding polling or opinion gathering technologies directed to the content of a specific show segments. When a show is assembled for broadcast, the appropriate poll is streamed at the designated interval with the related show segment. The content stream includes the polling/opinion gathering technologies to be executed in the browser; see also [73:16-24]; disclosing inserting URL hyperlinks into the media streams. A URL hyperlink is a script command that, when executed by following it, directs the browser to take an action, e.g., loading the linked page), *wherein said HTML content is stored at a remote server* (see [73:1-15]. The server (a remote server) delivers the content, including that to be executed by the browser).

**Claim 6:** The combination of Holtz, Gupta, and Abecassis discloses the limitations shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

*wherein the indicator indicates that the streaming advertisement be played one of before, during or after the streaming media content is played* (see [72:20-30]: "While a video show is being broadcasted over network 2910, the advertisements are streamed at specified intervals and durations with the video

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show." These specific intervals and durations can be played according to the information on the transition macro time sheet. Playing the advertisements prior to the display of the related video segment is also disclosed).

**Claim 7:** The combination of Holtz, Gupta, and Abecassis discloses the limitations shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

*logging play of said streaming advertisement using said script command* (see [74:11-20]: "The web page is configurable to support monitoring and data logging to track web hits, advertisement hits, billing, and costs." The web hits and advertisement hits, even when called by a script command, represent the playing of any advertisement and are logged).

**Claim 8:** Holtz, as shown, discloses the following limitations:

*in response to selection of a link in a browser at a user computer* (see [70:8-22]):

In an embodiment of the present invention, the Internet user 2950 can browse the web page and select the entire show or segments from the show for "on-demand" viewing. After user 2950 makes the selection by clicking on one or more icons, processing unit 102 for system 100 would load and execute the prerecorded show script file to feed the video show over the Internet, or subscript files of selected segments to user 2950. In a preferred embodiment, system 100 creates a network interface transition macro, retrieves the time codes for the selected show segment(s) from the show script file, integrates the time codes into the network interface transition macro, and executes the network interface transition macro to feed the video to user 2950. In another embodiment, System 100 creates a "bin" play list for "on-demand" play out. Once user 2950 selects a show or segments of a show, the selected video clips (identified by time code 20 stamps and identification labels) are stored in the play out "bin" in the appropriate sequence as identified by user 2950. Once all of the segments are assembled in the "bin" in the appropriate order, play out begins for viewing by user 2950.

Clicking on an icon on a webpage is selecting a link in a browser and triggers loading the browser content), *building a frame set in a window of said browser, said frame set comprising a media player frame to experience content from a media player executing at said user computer* (see [72:11-19]):

In one embodiment, information about the video show can be streamed to a web page by the broadcasting station directly from system 100. The information can include a schedule listing the contents and duration of the show, or data relative to a live segment or story that is currently being broadcasted. The data can be located on side panels or frames of the web page synchronized with the segment or story. Data is entered into system 100 and linked via the

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transition macro to the appropriate segment or story. As system 100 "steps" through the show from one segment to the next, the data changes in sync with the segment as assembled on the transition macro.

The video is streamed to a webpage having multiple frames. The video is played in one of those frames *and a data frame* (see [72:11-19]: disclosing displaying information on side panels or frames of the webpage. The data may be displayed in a separate frame next to the video frame), *the link comprising streaming media content identification information* (see [70:8-22]: disclosing the server delivering the selected show based on the user making a selection by clicking on the icon. In order for the server to deliver the appropriate show or content, the link must include information about the show requested. This information used to identify the particular show or content is a streaming media content identifier) *and a streaming advertisement parameter, said streaming advertisement parameter specifying a position of a streaming advertisement in a content stream comprising said streaming media content;*

*in further response to the selection of the link, making, at said user computer, a request for a playlist to a source on a network, said request including the link's streaming media content identification information* (see [70:8-22]: disclosing the server delivering the selected show based on the user making a selection by clicking on the icon. Clicking on the link is making the request. In order for the server to deliver the appropriate show or content, the link must include information about the show requested. This information used to identify the particular show or content is a streaming media content identifier; see also [70:8-22]: each of the selected clips are identified by time codes and identification labels) *and the link's streaming advertisement parameter;*

*receiving said playlist at said user computer in response to said request* (see [72:11-19]): disclosing information about the video show can be streamed to a web page by the broadcasting station directly from the system. This information can include a scheduling listing the contents and duration of the show, or data relative to a live segment or story that is currently being broadcasted. This information is the playlist that the user selected), *said playlist's contents comprising a reference to said streaming*

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*media content in accordance with the link's streaming media content identification information (see [70:8-22]):*

In another embodiment, System 100 creates a "bin" play list for "on-demand" play out. Once user 2950 selects a show or segments of a show, the selected video clips (identified by time code 20 stamps and identification labels) are stored in the play out "bin" in the appropriate sequence as identified by user 2950. Once all of the segments are assembled in the "bin" in the appropriate order, play out begins for viewing by user 2950.

The user selects a set of desired media clips in a certain order, and the system creates a "bin" playlist defining the collection of desired clips in the specific order. Each clip/segment in the collection represented by the playlist is identified, i.e., referenced, by time code stamps and identification labels. After the playlist is complete, the streaming media referenced therein, i.e., the content of the playlist, is delivered to the player in the user's browser), *and said playlist or said media content comprising an identifier identifying when said streaming advertisement should be played in relation to said streaming media content in said content stream* (see [72:20-30]:

In one embodiment, the show script file includes links to dynamic and/or static advertisements. While a video show is being broadcasted over network 2910, the advertisements are streamed at specified intervals and durations with the video show. In an embodiment, the advertisements are located on the side panels of the same frame or window. In another embodiment, the advertisements 25 are streamed in separate frames. In another embodiment, the advertisements are streamed prior to the display of the related segment video. The advertisements can be stored as separate files on server 2905, and loaded, placed and played according to icon placements on the transition macro time sheet 299. The advertisements can provide a hyperlink directly to the web site for the sponsor of 30 the advertisement.

Advertisements may be streamed at specified intervals and durations with the video show. The content stream includes the streaming advertisements, which are an indication of their own presence; see also [72:11-19]: disclosing information about the video show can be streamed to a web page by the broadcasting station directly from the system. This information can include a scheduling listing the contents and duration of the show, or data relative to a live segment or story that is currently being broadcasted, and would include advertisement segment information) *in accordance with the link's streaming advertisement parameter;*

*receiving, at said user computer, said streaming advertisement and streaming media content in accordance with said playlist's contents (see [70:23-71:10]; disclosing streaming the media content to the user), wherein said content stream includes one or more embedded commands that reference HTML content corresponding to said content stream (see [73:1-15]; disclosing embedding polling or opinion gathering technologies directed to the content of a specific show segments. When a show is assembled for broadcast, the appropriate poll is streamed at the designated interval with the related show segment. The content stream includes the polling/opinion gathering technologies to be executed in the browser; see also [73:16-24]; disclosing inserting URL hyperlinks into the media streams. A URL hyperlink is a script command that, when executed by following it, directs the browser to take an action, e.g., loading the linked page. Both the polling and linking correspond to the content stream);*

*playing said content stream on said media player (see [70:8-22]; disclosing playing the video to the user);*

*executing said one or more embedded commands to retrieve the referenced HTML content (see [73:1-15]; disclosing embedding polling or opinion gathering technologies directed to the content of a specific show segments. When a show is assembled for broadcast, the appropriate poll is streamed at the designated interval with the related show segment. The content stream includes the polling/opinion gathering technologies to be executed in the browser); and*

*displaying the retrieved HTML content in the data frame concurrently with the content stream being experienced in said media player frame (see [72:11-19]; disclosing sending data related to the streaming content to side panels or frames of the webpage synchronized with the segment or story. The synchronized content is displayed concurrently).*

Although Holtz discloses the user building a playlist at the user's computer and the user receiving both the playlist media content and information, including scheduling listing the contents and duration of the show or data relative to a live segment or story that is currently being broadcasted, Holtz does not

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specifically disclose the user's browser receiving a playlist file in order to accomplish the streaming delivery of the customized sequence of media segments.

However, Gupta, as shown, discloses the following limitations:

*receiving said playlist at said user computer in response to said request* (see [15:42-59]):

Upon selection of the play option, interface 150 of FIG. 3 provides the list of annotation identifiers being displayed to web browser 153 (or other multimedia presentation application) in the order of their display, including the target identifier and temporal range information. Thus, web browser 153 receives a list of multimedia segments that it is to present to the user in a particular order. Web browser 153 then accesses media server 11 to stream the multimedia segments to client 15 for presentation in that order.

The list of annotation identifiers (the playlist) with corresponding target identifier and temporal range information is provided to the user's web browser; see also [16:14-27]:

Web browser 153, knowing the duration of each of the segments being provided to client computer 15, forwards additional messages to media server 11 to continue with the provision of the next segment, according to the playlist, when appropriate. By managing the delivery of the media segments to client computer 15 in such a manner, web browser 153 can keep the media segments being provided to the user in a seamless manner.

The playlist is used to ensure continuous play).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the playlist to the web browser as taught by Gupta in the system disclosed by Holtz, because Gupta teaches that using the playlist in this manner can keep the media segments being provided to the user in a seamless manner (see [16:14-27]).

Although Holtz discloses the link comprises streaming media content identification information, the request includes streaming media content identification information, and delivering advertising content in accordance with specific indicators and at specific times (see above), neither Holtz nor Gupta specifically disclose that the link contains a streaming advertisement parameter that specifies a position of a streaming advertisement in the content stream, the request includes streaming advertisement parameter, or the indicator indicates when the said streaming advertisement should be played in accordance with the link's streaming advertisement parameter.

However, Abecassis, as shown, teaches:

*the link comprising streaming media content identification information and a streaming advertisement parameter, said streaming advertisement parameter specifying a position of a streaming advertisement in a content stream comprising said streaming media content* (see [0385]):

A random access pointcast architecture provides the means for a viewer to select and retrieve a desired advertisement, and provides the means to compensate the viewer for the verified apparent viewing of the advertisement. Such a system provides a closer match between the viewer's interest and the object of the advertisement, and further increases the potential purchase by the viewer of the promoted product or service, than a system directed to an inclusion/exclusion determination.

In the content on demand system, the viewer can select and retrieve desired advertisements; see also [0383]: disclosing that any aspect of the invention that applies to video also applies to advertisements. As discussed above Holtz discloses a system (see [70:8-22]) in which a user creates a playlist by selecting a series of show segments or clips. The clips are identified by time code stamps and identification labels. When these segments/clips are advertisements, each advertisement will also have time code stamps (a streaming advertisement parameter) and identification labels (stream media content identification information), which are also transmitted when the user send the playlist to the server to retrieve the videos);

*said request including the link's streaming media content identification information and the link's streaming advertisement parameter* (as discussed above, each of the selected clips, including the advertisements, is identified by time codes and identification labels. The request includes this information because they identify the content and placement in the delivered video stream); *and*

*said playlist or said content stream including an indicator that indicates when said streaming advertisement should be played in relation to said streaming media content in said content stream accordance with the link's streaming advertisement parameter* (as discussed above, the content stream includes the streaming videos and advertisements, which are indications of their own presence. Further, they are delivered in accordance to the placement information of the time codes).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made allow the user to select advertisements, as taught by Abecassis, when selecting videos and creating a playlist in the video distribution system disclosed by the combination of Holtz and Gupta, because Abecassis teaches that a user may select video advertisements to watch in order to reduce the charges incurred by the viewer in the selection of other video services for which the viewer may incur a charge (see [0386]).

**Claim 9:** Holtz, as shown, discloses the following limitations:

*in response to selection of a link in a browser at a user computer* (see [70:8-22]):

In an embodiment of the present invention, the Internet user 2950 can browse the web page and select the entire show or segments from the show for "on-demand" viewing. After user 2950 makes the selection by clicking on one or more icons, processing unit 102 for system 100 would load and execute the prerecorded show script file to feed the video show over the Internet, or subscript files of selected segments to user 2950. In a preferred embodiment, system 100 creates a network interface transition macro, retrieves the time codes for the selected show segment(s) from the show script file, integrates the time codes into the network interface transition macro, and executes the network interface transition macro to feed the video to user 2950. In another embodiment, System 100 creates a "bin" play list for "on-demand" play out. Once user 2950 selects a show or segments of a show, the selected video clips (identified by time code 20 stamps and identification labels) are stored in the play out "bin" in the appropriate sequence as identified by user 2950. Once all of the segments are assembled in the "bin" in the appropriate order, play out begins for viewing by user 2950.

Clicking on an icon on a webpage is selecting a link in a browser and triggers loading the browser content), *building a frame set in a window of said browser, the frame set including a media player frame* (see [72:11-19]):

In one embodiment, information about the video show can be streamed to a web page by the broadcasting station directly from system 100. The information can include a schedule listing the contents and duration of the show, or data relative to a live segment or story that is currently being broadcasted. The data can be located on side panels or frames of the web page synchronized with the segment or story. Data is entered into system 100 and linked via the transition macro to the appropriate segment or story. As system 100 "steps" through the show from one segment to the next, the data changes in sync with the segment as assembled on the transition macro.

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The video is streamed to a webpage having multiple frames. The video is played in one of those frames) and a data frame (see [72:11-19]; disclosing displaying information on side panels or frames of the webpage. The data may be displayed in a separate frame next to the video frame), the link comprising streaming media content identification information (see [70:8-22]; disclosing the server delivering the selected show based on the user making a selection by clicking on the icon. In order for the server to deliver the appropriate show or content, the link must include information about the show requested. This information used to identify the particular show or content is a streaming media content identifier) and a streaming advertisement parameter, said streaming advertisement parameter specifying a position for playing a streaming advertisement in a content stream comprising said streaming media content, said position being an intermediate point when said streaming advertisement is to be played in relation to said streaming media content in said content stream;

in further response to said selection of the link, making, at said user computer, a request for a playlist to a source on a network, said request including the link's streaming media content identification information (see [70:8-22]; disclosing the server delivering the selected show based on the user making a selection by clicking on the icon. Clicking on the link is making the request. In order for the server to deliver the appropriate show or content, the link must include information about the show requested. This information used to identify the particular show or content is a streaming media content identifier; see also [70:8-22]; each of the selected clips is identified by time codes and identification labels) and the link's streaming advertisement parameter;

receiving said playlist at said user computer in response to said request (see [72:11-19]; disclosing information about the video show can be streamed to a web page by the broadcasting station directly from the system. This information can include a scheduling listing the contents and duration of the show, or data relative to a live segment or story that is currently being broadcasted. This information is the playlist that the user selected), said playlist's contents comprising a reference identifying said

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*streaming media content in accordance with the link's streaming media content identification information*  
(see [70:8-22]):

In another embodiment, System 100 creates a "bin" play list for "on-demand" play out. Once user 2950 selects a show or segments of a show, the selected video clips (identified by time code 20 stamps and identification labels) are stored in the play out "bin" in the appropriate sequence as identified by user 2950. Once all of the segments are assembled in the "bin" in the appropriate order, play out begins for viewing by user 2950.

The user selects a set of desired media clips in a certain order, and the system creates a "bin" playlist defining the collection of desired clips in the specific order. Each clip/segment in the collection represented by the playlist is identified, i.e., referenced, by time code stamps and identification labels. After the playlist is complete, the streaming media referenced therein, i.e., the content of the playlist, is delivered to the player in the user's browser), *and said content stream including an indicator that indicates said intermediate point* (see [72:20-30]):

In one embodiment, the show script file includes links to dynamic and/or static advertisements. While a video show is being broadcasted over network 2910, the advertisements are streamed at specified intervals and durations with the video show. In an embodiment, the advertisements are located on the side panels of the same frame or window. In another embodiment, the advertisements 25 are streamed in separate frames. In another embodiment, the advertisements are streamed prior to the display of the related segment video. The advertisements can be stored as separate files on server 2905, and loaded, placed and played according to icon placements on the transition macro time sheet 299. The advertisements can provide a hyperlink directly to the web site for the sponsor of 30 the advertisement.

Advertisements may be streamed at specified intervals and durations with the video show. The content stream includes the streaming advertisements, which are an indication of their own presence; see also [72:11-19]: disclosing information about the video show can be streamed to a web page by the broadcasting station directly from the system. This information can include a scheduling listing the contents and duration of the show, or data relative to a live segment or story that is currently being broadcasted, and would include advertisement segment information) *in accordance with the link's streaming advertisement parameter;*

*receiving, at said user computer, said streaming advertisement and said streaming media content in accordance with said playlist's contents* (see [70:23-71:10]; disclosing streaming the media content to the user);

*receiving HTML content related to the streaming content to the browser* (see [72:11-19]; disclosing sending data related to the streaming content to side panels or frames of the webpage synchronized with the segment or story. The data displayed on a webpage is HTML content. The HTML content is related to the content stream in the browser window);

*simultaneously playing said content stream in said media player frame and displaying said HTML content in the data frame* (see [72:11-19]; disclosing sending data related to the streaming content to side panels or frames of the webpage synchronized with the segment or story. The synchronized content is displayed simultaneously).

Although Holtz discloses the user building a playlist at the user's computer and the user receiving both the playlist media content and information, including scheduling listing the contents and duration of the show or data relative to a live segment or story that is currently being broadcasted, Holtz does not specifically disclose the user's browser receiving a playlist file in order to accomplish the streaming delivery of the customized sequence of media segments.

However, Gupta, as shown, discloses the following limitations:

*receiving said playlist at said user computer in response to said request* (see [15:42-59];

Upon selection of the play option, interface 150 of FIG. 3 provides the list of annotation identifiers being displayed to web browser 153 (or other multimedia presentation application) in the order of their display, including the target identifier and temporal range information. Thus, web browser 153 receives a list of multimedia segments that it is to present to the user in a particular order. Web browser 153 then accesses media server 11 to stream the multimedia segments to client 15 for presentation in that order.

The list of annotation identifiers (the playlist) with corresponding target identifier and temporal range information is provided to the user's web browser; see also [16:14-27]:

Web browser 153, knowing the duration of each of the segments being provided to client computer 15, forwards additional messages to media server 11 to continue with the provision of the next segment, according to the playlist, when appropriate. By managing the delivery of the media segments to client computer 15 in such a manner, web browser 153 can keep the media segments being provided to the user in a seamless manner.

The playlist is used to ensure continuous play).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the playlist to the web browser as taught by Gupta in the system disclosed by Holtz, because Gupta teaches that using the playlist in this manner can keep the media segments being provided to the user in a seamless manner (see [16:14-27]).

Although Holtz discloses the link comprises streaming media content identification information, the request includes streaming media content identification information, and delivering advertising content in accordance with specific indicators and at specific times (see above), neither Holtz nor Gupta specifically disclose that the link contains a streaming advertisement parameter that specifies a position of a streaming advertisement in the content stream, the request includes streaming advertisement parameter, the advertisement position being an intermediate point when the streaming advertisement is to be played, or the indicator indicates when the said streaming advertisement should be played in accordance with the link's streaming advertisement parameter.

However, Abecassis, as shown, teaches:

*the link comprising streaming media content identification information and a streaming advertisement parameter, said streaming advertisement parameter specifying a position of a streaming advertisement in a content stream comprising said streaming media content, said position being an intermediate point when said streaming advertisement is to be played in relation to said streaming media content in said content stream (see [0385]):*

A random access pointcast architecture provides the means for a viewer to select and retrieve a desired advertisement, and provides the means to compensate the viewer for the verified apparent viewing of the advertisement. Such a system provides a closer match between the viewer's interest and the object of the advertisement, and further increases the potential purchase by the

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viewer of the promoted product or service, than a system directed to an inclusion/exclusion determination.

In the content on demand system, the viewer can select and retrieve desired advertisements; see also [0383]: disclosing that any aspect of the invention that applies to video also applies to advertisements. As discussed above Holtz discloses a system (see [70:8-22]) in which a user creates a playlist by selecting a series of show segments or clips. The clips are identified by time code stamps and identification labels.

When these segments/clips are advertisements, each advertisement will also have time code stamps (a streaming advertisement parameter) and identification labels (stream media content identification information), which are also transmitted when the user send the playlist to the server to retrieve the videos. When the advertisement is inserted between other videos, it is inserted in an intermediate point);

*said request including the link's streaming media content identification information and the link's streaming advertisement parameter* (as discussed above, each of the selected clips, including the advertisements, is identified by time codes and identification labels. The request includes this information because they identify the content and placement in the delivered video stream); and

*said content stream including an indicator that indicates said intermediate point in accordance with the link's streaming advertisement parameter* (as discussed above, the content stream includes the streaming videos and advertisements, which are indications of their own presence. Further, they are delivered in accordance to the placement information of the time codes).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made allow the user to select advertisements, as taught by Abecassis, when selecting videos and creating a playlist in the video distribution system disclosed by the combination of Holtz and Gupta, because Abecassis teaches that a user may select video advertisements to watch in order to reduce the charges incurred by the viewer in the selection of other video services for which the viewer may incur a charge (see [0386]).

**Claim 10:** The combination of Holtz, Gupta, and Abecassis discloses the limitations shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

*wherein receiving HTML content includes providing the HTML content to said data frame in response to execution of an embedded command in the content stream* (see [73:1-15]; disclosing embedding polling or opinion gathering technologies directed to the content of a specific show segments. When a show is assembled for broadcast, the appropriate poll is streamed at the designated interval with the related show segment. The content stream includes the polling/opinion gathering technologies to be executed in the browser; see also [73:16-24]; disclosing inserting URL hyperlinks into the media streams), *wherein said HTML content is related to the content stream playing in said media player frame* (see [73:1-15]. The polling/opinion gathering technologies are related to the specific show segments).

**Claim 11:** The combination of Holtz, Gupta, and Abecassis discloses the limitations shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

*wherein receiving the HTML content includes causing a script command embedded in the content stream that references said HTML content to be executed* (see [73:1-15]; disclosing embedding polling or opinion gathering technologies directed to the content of a specific show segments. When a show is assembled for broadcast, the appropriate poll is streamed at the designated interval with the related show segment. The content stream includes the polling/opinion gathering technologies to be executed in the browser; see also [73:16-24]; disclosing inserting URL hyperlinks into the media streams. A URL hyperlink is a script command that, when executed by following it, directs the browser to take an action, e.g., loading the linked page), *wherein said HTML content is stored at a remote server* (see [73:1-15].

The server (a remote server) delivers the content, including that to be executed by the browser).

**Claim 12:** Holtz, as shown, discloses the following limitations:

*providing, by a computer, a link* (see [70:8-22]:

In an embodiment of the present invention, the Internet user 2950 can browse the web page and select the entire show or segments from the show for "on-demand" viewing. After user 2950

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makes the selection by clicking on one or more icons, processing unit 102 for system 100 would load and execute the prerecorded show script file to feed the video show over the Internet, or subscript files of selected segments to user 2950. In a preferred embodiment, system 100 creates a network interface transition macro, retrieves the time codes for the selected show segment(s) from the show script file, integrates the time codes into the network interface transition macro, and executes the network interface transition macro to feed the video to user 2950. In another embodiment, System 100 creates a "bin" play list for "on-demand" play out. Once user 2950 selects a show or segments of a show, the selected video clips (identified by time code 20 stamps and identification labels) are stored in the play out "bin" in the appropriate sequence as identified by user 2950. Once all of the segments are assembled in the "bin" in the appropriate order, play out begins for viewing by user 2950.

Clicking on an icon on a webpage is selecting a link in a browser and triggers loading the browser content. The server (computer) provides the link on the webpage), *the link comprising streaming content identification information* (see [70:8-22]: disclosing the server delivering the selected show based on the user making a selection by clicking on the icon. In order for the server to deliver the appropriate show or content, the link must include information about the show requested. This information used to identify the particular show or content is a streaming media content identifier) *and an advertisement placement parameter, the advertisement placement parameter specifying a timing for playing a streaming advertisement in a content stream and specifying which of a playlist and said content stream is to include an indicator of the timing;*

*receiving, by the computer, a request for a playlist from a user computer, said request including the link's streaming content identification information* (see [70:8-22]: disclosing the server delivering the selected show based on the user making a selection by clicking on the icon. Clicking on the link is making the request. In order for the server to deliver the appropriate show or content, the link must include information about the show requested. This information used to identify the particular show or content is a streaming media content identifier; see also [70:8-22]: each of the selected clips are identified by time codes and identification labels) *and advertisement placement parameter;*

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*building, by the computer, a playlist, the playlist's contents comprising a reference identifying streaming content in accordance with the link's streaming content identification information* (see [70:8-22]:

In another embodiment, System 100 creates a "bin" play list for "on-demand" play out. Once user 2950 selects a show or segments of a show, the selected video clips (identified by time code 20 stamps and identification labels) are stored in the play out "bin" in the appropriate sequence as identified by user 2950. Once all of the segments are assembled in the "bin" in the appropriate order, play out begins for viewing by user 2950.

The user selects a set of desired media clips in a certain order, and the system creates (builds) a "bin" playlist defining the collection of desired clips in the specific order. Each clip/segment in the collection represented by the playlist is identified, i.e., referenced, by time code stamps and identification labels. After the playlist is complete, the streaming media referenced therein, i.e., the content of the playlist, is delivered to the player in the user's browser), *the link's advertisement placement parameter included in said request being used to determine which of said playlist and said content stream includes said timing indicator; and*

*transmitting, by the computer, the playlist to said user computer* (see [72:11-19]: disclosing information about the video show can be streamed to a web page by the broadcasting station directly from the system. This information can include a scheduling listing the contents and duration of the show, or data relative to a live segment or story that is currently being broadcasted. This information is the playlist that the user selected; see also [70:8-22]: disclosing play out of the assembled segments, i.e., the streaming media, at the user's computer).

Although Holtz discloses the user building a playlist at the user's computer and the user receiving both the playlist media content and information, including scheduling listing the contents and duration of the show or data relative to a live segment or story that is currently being broadcasted, Holtz does not specifically disclose the user's browser receiving a playlist file in order to accomplish the streaming delivery of the customized sequence of media segments.

However, Gupta, as shown, discloses the following limitations:

*receiving said playlist at said user computer in response to said request (see [15:42-59];*

Upon selection of the play option, interface 150 of FIG. 3 provides the list of annotation identifiers being displayed to web browser 153 (or other multimedia presentation application) in the order of their display, including the target identifier and temporal range information. Thus, web browser 153 receives a list of multimedia segments that it is to present to the user in a particular order. Web browser 153 then accesses media server 11 to stream the multimedia segments to client 15 for presentation in that order.

The list of annotation identifiers (the playlist) with corresponding target identifier and temporal range information is provided to the user's web browser; see also [16:14-27]:

Web browser 153, knowing the duration of each of the segments being provided to client computer 15, forwards additional messages to media server 11 to continue with the provision of the next segment, according to the playlist, when appropriate. By managing the delivery of the media segments to client computer 15 in such a manner, web browser 153 can keep the media segments being provided to the user in a seamless manner.

The playlist is used to ensure continuous play).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the playlist to the web browser as taught by Gupta in the system disclosed by Holtz, because Gupta teaches that using the playlist in this manner can keep the media segments being provided to the user in a seamless manner (see [16:14-27]).

Although Holtz discloses the link comprises streaming media content identification information, the request includes streaming media content identification information, and delivering advertising content in accordance with specific indicators and at specific times (see above), neither Holtz nor Gupta specifically disclose that the link contains an advertisement placement parameter that specifies a position of a streaming advertisement in the content stream or specifies which of a playlist and content stream is to include an indicator of the timing, the request includes an advertisement placement parameter, or the link's advertisement placement parameter included in said request is used to determine which of said playlist and said content stream includes said timing indicator.

However, Abecassis, as shown, teaches:

*the link comprising streaming media content identification information and an advertisement placement parameter, the advertisement placement parameter specifying a timing for playing a streaming advertisement in a content stream and specifying which of a playlist and said content stream is to include an indicator of the timing* (see [0385]):

A random access pointcast architecture provides the means for a viewer to select and retrieve a desired advertisement, and provides the means to compensate the viewer for the verified apparent viewing of the advertisement. Such a system provides a closer match between the viewer's interest and the object of the advertisement, and further increases the potential purchase by the viewer of the promoted product or service, than a system directed to an inclusion/exclusion determination.

In the content on demand system, the viewer can select and retrieve desired advertisements; see also [0383]: disclosing that any aspect of the invention that applies to video also applies to advertisements. As discussed above Holtz discloses a system (see [70:8-22]) in which a user creates a playlist by selecting a series of show segments or clips. The clips are identified by time code stamps and identification labels. When these segments/clips are advertisements, each advertisement will also have time code stamps (a streaming advertisement parameter) and identification labels (stream media content identification information), which are also transmitted when the user send the playlist to the server to retrieve the videos. The link specifies the playlist and content stream in which the advertisements and to be delivered. As a part of the link, the advertisement parameter also specifies the playlist and content stream in which the advertisements and to be delivered);

*said request including the link's streaming media content identification information and the advertisement placement parameter* (as discussed above, each of the selected clips, including the advertisements, is identified by time codes and identification labels. The request includes this information because they identify the content and placement in the delivered video stream); *and building, by the computer, a playlist, the playlist's contents comprising a reference identifying streaming content in accordance with the link's streaming content identification information, the link's advertisement placement parameter included in said request being used to determine which of said*

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*playlist and said content stream includes said timing indicator* (as discussed above, the content stream includes the streaming videos and advertisements, which are indications of their own presence, are delivered in accordance to the placement information of the time codes. Further, the inclusion of the placement parameter indicates that the content is to go into the requested content stream related to the current playlist).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made allow the user to select advertisements, as taught by Abecassis, when selecting videos and creating a playlist in the video distribution system disclosed by the combination of Holtz and Gupta, because Abecassis teaches that a user may select video advertisements to watch in order to reduce the charges incurred by the viewer in the selection of other video services for which the viewer may incur a charge (see [0386]).

**Claim 13:** The combination of Holtz, Gupta, and Abecassis discloses the limitations shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

*wherein the request comprises information to identify a storage location of information for configuring a frame set* (see [70:8-22]):

In an embodiment of the present invention, the Internet user 2950 can browse the web page and select the entire show or segments from the show for "on-demand" viewing. After user 2950 makes the selection by clicking on one or more icons, processing unit 102 for system 100 would load and execute the prerecorded show script file to feed the video show over the Internet, or subscript files of selected segments to user 2950.

The frame content, e.g., a requested video, is the information for configuring a frame set. The request includes which shows have been selected, and the system uses this information to load the requested videos. Loading the correct videos requires identifying the correct videos and where they are stored in order to deliver them), *which comprises a media player* (see [72:11-19]):

In one embodiment, information about the video show can be streamed to a web page by the broadcasting station directly from system 100. The information can include a schedule listing the contents and duration of the show, or data relative to a live segment or story that is currently being broadcasted. The data can be located on side panels or frames of the web page

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synchronized with the segment or story. Data is entered into system 100 and linked via the transition macro to the appropriate segment or story. As system 100 "steps" through the show from one segment to the next, the data changes in sync with the segment as assembled on the transition macro.

The video is streamed to a webpage having multiple frames. The video is played in one of those frames) and *a data frame* (see [72:11-19]: disclosing displaying information on side panels or frames of the webpage. The data may be displayed in a separate frame next to the video frame), *on said user computer*.

**Claim 14:** The combination of Holtz, Gupta, and Abecassis discloses the limitations shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

*in response to a request from the user computer, transmitting said content stream to said user computer* (see [70:23-71:10]: disclosing streaming the media content to the user); *and providing HTML content related to the content stream to the user computer* (see [72:11-19]: disclosing sending data related to the streaming content to side panels or frames of the webpage synchronized with the segment or story).

The data displayed on a webpage is HTML content. The HTML content is related to the content stream in the browser window), *wherein display of the HTML content is synchronized with playback of the content stream at the user computer* (see [72:11-19]: disclosing sending data related to the streaming content to side panels or frames of the webpage synchronized with the segment or story).

**Claim 15:** The combination of Holtz, Gupta, and Abecassis discloses the limitations shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

*embedding a script command in the content stream, wherein the script command references the HTML content* (see [73:1-15]: disclosing embedding polling or opinion gathering technologies directed to the content of a specific show segments. When a show is assembled for broadcast, the appropriate poll is streamed at the designated interval with the related show segment. The content stream includes the polling/opinion gathering technologies to be executed in the browser; see also [73:16-24]: disclosing inserting URL hyperlinks into the media streams. A URL hyperlink is a script command that, when executed by following it, directs the browser to take an action, e.g., loading the linked page).

**Claim 16:** Holtz, as shown, discloses the following limitations:

*providing, by a computer, a link (see [70:8-22]):*

In an embodiment of the present invention, the Internet user 2950 can browse the web page and select the entire show or segments from the show for "on-demand" viewing. After user 2950 makes the selection by clicking on one or more icons, processing unit 102 for system 100 would load and execute the prerecorded show script file to feed the video show over the Internet, or subscript files of selected segments to user 2950. In a preferred embodiment, system 100 creates a network interface transition macro, retrieves the time codes for the selected show segment(s) from the show script file, integrates the time codes into the network interface transition macro, and executes the network interface transition macro to feed the video to user 2950. In another embodiment, System 100 creates a "bin" play list for "on-demand" play out. Once user 2950 selects a show or segments of a show, the selected video clips (identified by time code 20 stamps and identification labels) are stored in the play out "bin" in the appropriate sequence as identified by user 2950. Once all of the segments are assembled in the "bin" in the appropriate order, play out begins for viewing by user 2950.

Clicking on an icon on a webpage is selecting a link in a browser and triggers loading the browser content. The server (computer) provides the link on the webpage), *the link comprising a streaming content identification information* (see [70:8-22]: disclosing the server delivering the selected show based on the user making a selection by clicking on the icon. In order for the server to deliver the appropriate show or content, the link must include information about the show requested. This information used to identify the particular show or content is a streaming media content identifier) *and advertisement placement information identifying a timing for output of an advertisement relative to the streaming content;*

*receiving, by the computer, a request for a playlist from a user computer, the request including the link's streaming content identification information* (see [70:8-22]: disclosing the server delivering the selected show based on the user making a selection by clicking on the icon. Clicking on the link is making the request. In order for the server to deliver the appropriate show or content, the link must include information about the show requested. This information used to identify the particular show or content is a streaming media content identifier; see also [70:8-22]: each of the selected clips are identified by time codes and identification labels) *and the link's advertisement placement information;*

*building, by the computer, a playlist using the link's streaming content identification information and the link's advertisement placement information such that the playlist includes a reference to streaming content* (see [70:8-22]):

In another embodiment, System 100 creates a "bin" play list for "on-demand" play out. Once user 2950 selects a show or segments of a show, the selected video clips (identified by time code 20 stamps and identification labels) are stored in the play out "bin" in the appropriate sequence as identified by user 2950. Once all of the segments are assembled in the "bin" in the appropriate order, play out begins for viewing by user 2950.

The user selects a set of desired media clips in a certain order, and the system creates (builds) a "bin" playlist defining the collection of desired clips in the specific order. Each clip/segment in the collection represented by the playlist is identified, i.e., referenced, by time code stamps and identification labels.

After the playlist is complete, the streaming media referenced therein, i.e., the content of the playlist, is delivered to the player in the user's browser), *which streaming content has at least one embedded command in accordance with the link's advertisement placement information, the at least one embedded command including advertisement identification information to be processed as the streaming content is being experienced at said user computer* (see [73:1-15]: disclosing embedding polling or opinion gathering technologies directed to the content of a specific show segments. When a show is assembled for broadcast, the appropriate poll is streamed at the designated interval with the related show segment.

The content stream includes the polling/opinion gathering technologies to be executed in the browser; see also [73:16-24]: disclosing inserting URL hyperlinks into the media streams. A URL hyperlink is a script command that, when executed by following it, directs the browser to take an action, e.g., loading the linked page. Both the polling and linking correspond to the content stream), *the at least one embedded command identifying the timing for output of the advertisement relative to the streaming content* (see [73:1-15]: disclosing embedding polling or opinion gathering technologies directed to the content of a specific show segments. When a show is assembled for broadcast, the appropriate poll is streamed at the designated interval with the related show segment; see also [73:16:24]: disclosing integrating URL

hyperlinks into the media streams. These are inserted relative to show segments, which are determined by the timing information) *in accordance with the link's advertisement placement information; and transmitting, by the computer, the playlist to the user computer* (see [72:11-19]: disclosing information about the video show can be streamed to a web page by the broadcasting station directly from the system. This information can include a scheduling listing the contents and duration of the show, or data relative to a live segment or story that is currently being broadcasted. This information is the playlist that the user selected; see also [70:8-22]: disclosing play out of the assembled segments, i.e., the streaming media, at the user's computer).

Although Holtz discloses the user building a playlist at the user's computer and the user receiving both the playlist media content and information, including scheduling listing the contents and duration of the show or data relative to a live segment or story that is currently being broadcasted, Holtz does not specifically disclose the user's browser receiving a playlist file in order to accomplish the streaming delivery of the customized sequence of media segments.

However, Gupta, as shown, discloses the following limitations:

*receiving said playlist at said user computer in response to said request* (see [15:42-59]):

Upon selection of the play option, interface 150 of FIG. 3 provides the list of annotation identifiers being displayed to web browser 153 (or other multimedia presentation application) in the order of their display, including the target identifier and temporal range information. Thus, web browser 153 receives a list of multimedia segments that it is to present to the user in a particular order. Web browser 153 then accesses media server 11 to stream the multimedia segments to client 15 for presentation in that order.

The list of annotation identifiers (the playlist) with corresponding target identifier and temporal range information is provided to the user's web browser; see also [16:14-27]:

Web browser 153, knowing the duration of each of the segments being provided to client computer 15, forwards additional messages to media server 11 to continue with the provision of the next segment, according to the playlist, when appropriate. By managing the delivery of the media segments to client computer 15 in such a manner, web browser 153 can keep the media segments being provided to the user in a seamless manner.

The playlist is used to ensure continuous play).

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It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the playlist to the web browser as taught by Gupta in the system disclosed by Holtz, because Gupta teaches that using the playlist in this manner can keep the media segments being provided to the user in a seamless manner (see [16:14-27]).

Although Holtz discloses the link comprises streaming media content identification information, the request includes streaming media content identification information, and delivering advertising content in accordance with specific indicators and at specific times (see above), neither Holtz nor Gupta specifically disclose that the link contains an advertisement placement information identifying a timing for output of an advertisement relative to the streaming content, the request includes an advertisement placement parameter, or the embedded commands are inserted in accordance with the advertisement placement information.

However, Abecassis, as shown, teaches:

*the link comprising streaming media content identification information and advertisement placement information identifying a timing for output of an advertisement relative to the streaming content* (see [0385]):

A random access pointcast architecture provides the means for a viewer to select and retrieve a desired advertisement, and provides the means to compensate the viewer for the verified apparent viewing of the advertisement. Such a system provides a closer match between the viewer's interest and the object of the advertisement, and further increases the potential purchase by the viewer of the promoted product or service, than a system directed to an inclusion/exclusion determination.

In the content on demand system, the viewer can select and retrieve desired advertisements; see also [0383]: disclosing that any aspect of the invention that applies to video also applies to advertisements. As discussed above Holtz discloses a system (see [70:8-22]) in which a user creates a playlist by selecting a series of show segments or clips. The clips are identified by time code stamps and identification labels. When these segments/clips are advertisements, each advertisement will also have time code stamps (a streaming advertisement parameter) and identification labels (stream media content identification

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information), which are also transmitted when the user send the playlist to the server to retrieve the videos);

*said request including the link's streaming media content identification information and the link's advertisement placement information* (as discussed above, each of the selected clips, including the advertisements, is identified by time codes and identification labels. The request includes this information because they identify the content and placement in the delivered video stream); and

*building, by the computer, a playlist using the link's streaming content identification information and the link's advertisement placement information such that the playlist includes a reference to streaming content, which streaming content has at least one embedded command in accordance with the link's advertisement placement information* (as discussed above, each of the selected clips, including the advertisements, is identified by time codes and identification labels. The request includes this information because they identify the content and placement in the delivered video stream. Embedded commands inserted into the stream that correspond to show segments would also correspond to show segments that are advertisements), *the at least one embedded command including advertisement identification information to be processed as the streaming content is being experienced at said user computer, the at least one embedded command identifying the timing for output of the advertisement relative to the streaming content in accordance with the link's advertisement placement information* (as discussed above, the embedded commands inserted into the stream that correspond to show segments would also correspond to show segments that are advertisements. Their places in the content stream identifying the timing for their output).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made allow the user to select advertisements, as taught by Abecassis, when selecting videos and creating a playlist in the video distribution system disclosed by the combination of Holtz and Gupta, because Abecassis teaches that a user may select video advertisements to watch in order to reduce the

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charges incurred by the viewer in the selection of other video services for which the viewer may incur a charge (see [0386]).

**Claim 17:** The combination of Holtz, Gupta, and Abecassis discloses the limitations shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

*wherein the advertisement identification information of the command embedded in the streaming content comprises information to identify streaming advertisement content to be played at said user computer (see [73:16-23]: disclosing displaying supporting hyperlinks into the media streams related to the content of a specific show segment. A link related to an advertising segment is part of the advertisement. It identifies itself, which is displayed when the advertisement segment is displayed).*

**Claim 18:** The combination of Holtz, Gupta, and Abecassis discloses the limitations shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

*logging a play of said streaming advertisement content (see [74:11-20]: "The web page is configurable to support monitoring and data logging to track web hits, advertisement hits, billing, and costs." The web hits and advertisement hits, representing the playing of any advertisement, are logged).*

**Claim 19:** The combination of Holtz, Gupta, and Abecassis discloses the limitations shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

*said advertisement identification information including non-streaming content identification information to be processed as the streaming content is being experienced at said user computer, the non-streaming content identification information of the command embedded in the streaming content is used to identify HTML content to be displayed while said streaming content is being experienced at said user computer (see [73:1-15]: disclosing embedding polling or opinion gathering technologies directed to the content of a specific show segments. When a show is assembled for broadcast, the appropriate poll is streamed at the designated interval with the related show segment. The content stream includes the*

polling/opinion gathering technologies to be executed in the browser. An HTML page, once displayed in the data frame, is non-streaming content).

**Claim 20:** The combination of Holtz, Gupta, and Abecassis discloses the limitations shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

*wherein the HTML content is displayed in a data frame of a browser window at said user computer while said streaming content is being experienced in a media frame of said browser window* (see [72:11-19]: disclosing sending data related to the streaming content to side panels or frames of the webpage synchronized with the segment or story. The synchronized content is displayed in side-panels or other frames while the content is displayed in the media-playing frame).

**Claim 21:** The combination of Holtz, Gupta, and Abecassis discloses the limitations shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

*wherein the streaming content has two embedded commands, the first embedded command identifies first HTML content and the second embedded command identifies second HTML content* (see [73:1-15]: disclosing creating specific pools, surveys, and the like for specific show segments; see also [73:16-24]: disclosing displaying hyperlinks. The multiple data gathering technologies and the multiple hyperlinks are each indicative of sending more than one command).

**Claim 22:** The combination of Holtz, Gupta, and Abecassis discloses the limitations shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

*wherein said second HTML content is default HTML content, and said second embedded command is used to display said default HTML content after said first HTML content is displayed* ("Default HTML content" is interpreted as the content chosen to be displayed. As discussed above regarding claim 21, multiple HTML contents are displayed. The second HTML content corresponding to a second command and second segment are displayed after the first command and first segment).

**Claim 23:** The combination of Holtz, Gupta, and Abecassis discloses the limitations shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

*wherein the request includes advertisement selection information, the method further comprising: selecting streaming advertisement content using the advertisement selection information included in the request* (see [70:8-22]: disclosing the server delivering the selected show based on the user making a selection by clicking on the icon. Clicking on the link is making the request. In order for the server to deliver the appropriate show or content, which may be a video advertisement, the link must include information about the show requested, i.e., advertisement selection information. This information used to identify the particular show or content is a streaming media content identifier; see also [70:8-22]: each of the selected clips is identified by time codes and identification labels).

**Claim 24:** The combination of Holtz, Gupta, and Abecassis discloses the limitations shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

*including a reference to the selected streaming advertisement content in the playlist* (see [70:8-22]: disclosing the server delivering the selected show based on the user making a selection by clicking on the icon. Clicking on the link is making the request. In order for the server to deliver the appropriate show or content, which may be a video advertisement, the link must include information about the show requested, i.e., advertisement selection information. This information used to identify the particular show or content is a streaming media content identifier; see also [70:8-22]: each of the selected clips is identified by time codes and identification labels; All of this information is included in the playlist).

**Claim 25:** The combination of Holtz, Gupta, and Abecassis discloses the limitations shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

*modifying the streaming content to include the embedded command and the advertisement identification information to identify the selected streaming advertisement content* (see [70:8-22]):

In another embodiment, System 100 creates a "bin" play list for "on-demand" play out. Once user 2950 selects a show or segments of a show, the selected video clips (identified by time code 20

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stamps and identification labels) are stored in the play out "bin" in the appropriate sequence as identified by user 2950. Once all of the segments are assembled in the "bin" in the appropriate order, play out begins for viewing by user 2950.

The user selects a set of desired media clips in a certain order, and the system creates a "bin" playlist defining the collection of desired clips in the specific order. Each clip/segment in the collection represented by the playlist is identified, i.e., referenced, by time code stamps and identification labels.

After the playlist is complete, the streaming media referenced therein, i.e., the content of the playlist, is delivered to the player in the user's browser. The streaming content is modified when it is built).

**Claim 26:** The combination of Holtz, Gupta, and Abecassis discloses the limitations shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

*wherein the advertisement selection information comprises duration information (see [70:8-22]:*

In another embodiment, System 100 creates a "bin" play list for "on-demand" play out. Once user 2950 selects a show or segments of a show, the selected video clips (identified by time code 20 stamps and identification labels) are stored in the play out "bin" in the appropriate sequence as identified by user 2950. Once all of the segments are assembled in the "bin" in the appropriate order, play out begins for viewing by user 2950.

The user selects a set of desired media clips in a certain order, and the system creates a "bin" playlist defining the collection of desired clips in the specific order. Each clip/segment in the collection represented by the playlist is identified, i.e., referenced, by time code stamps and identification labels. After the playlist is complete, the streaming media referenced therein, i.e., the content of the playlist, is delivered to the player in the user's browser. When the clip/segment is an advertisement, it has time code stamps, i.e., duration information).

#### ***Response to Arguments***

8. Applicant's arguments regarding Holtz filed July 12, 2011, hereinafter "Response", have been fully considered but they are not persuasive.

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9. Applicant argues that the combination of Holtz, Gupta, and Abecassis does not disclose the link comprising streaming media content identification information and a streaming advertisement parameter, said streaming advertisement parameter specifying a position of a streaming advertisement in a content stream comprising said streaming media content. See Response, p. 10. Examiner disagrees, because the combination of Holtz, Gupta, and Abecassis teaches the link comprising streaming media content identification information and a streaming advertisement parameter, said streaming advertisement parameter specifying a position of a streaming advertisement in a content stream comprising said streaming media content.

a. Holtz discloses a link comprising streaming media content identification information and a streaming parameter that specifies a position of streaming content in a content stream comprising streaming media content (see [70:8-22]: disclosing the user clicking on one or more icons to select shows or show segments and the system assembling a content playlist having the selected video clips identified by time code stamps and identification labels). Clicking on an icon on a webpage is selecting a link in a browser and triggers loading the browser content. The shows that will be delivered are the content delivered in the content stream. The time codes stamps and identification labels are streaming parameters that specify the position of the streaming content in the content stream.

b. Neither Holtz nor Gupta specifically disclose that the content chosen by the user to be displayed at the in the streaming content at the specified position is an advertisement. However, Abecassis teaches that the content in an online streaming content system could be an advertisement (see [0385]: disclosing an architecture in which a viewer selects and retrieves a desired advertisement). When this teaching is applied the system disclosed by the combination of Holtz and Gupta, and the content in the content stream are advertisements selected by the user and displayed in the content stream at the specific point or time, the combination teaches the link

comprising streaming media content identification information and a streaming advertisement parameter, said streaming advertisement parameter specifying a position of a streaming advertisement in a content stream comprising said streaming media content.

c. Applicant argues that the time code stamps are times for the clips/segments, but that they are not a link comprising a parameter specifying a position of a streaming advertisement. See Response, pp. 10-11. Examiner agrees, but these facts only support the contention that Holtz discloses the features of the recited claim language. The time code stamps are not only times for the clips/segments, but as times, identify where and when the clips and segments are located in the content stream, thereby functioning as a placement parameter. Applicant is also correct that the time code stamps are not a link; however, the claim language does not require that the time code stamps to be a link. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The claim language recites a link comprising streaming media content identification information and a streaming advertisement parameter. Holtz discloses a link that identifies the selected content to be delivered (see [70:8-22]; disclosing the server delivering the selected show based on the user making a selection by clicking on the icon). In order for the server to deliver the appropriate show or content, the link must include information about the show requested. This information used to identify the particular show or content is a streaming media content identifier. Further, the selection of a series of videos to stream in a specific order conveys information about the placement of the videos, i.e., placement parameters. Thus, placement parameter information is included in the link that is sent to system to build the play list to deliver. The play list is built using time codes in order to place the videos in the proper sequence.

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10. Applicant argues that Holtz does not teach or suggest that its icons comprise a streaming media content identification information and a streaming advertisement parameter specifying a position of a streaming advertisement as claimed. See Response, p. 11. Examiner disagrees, because Holtz discloses icons that comprise a streaming media content identification information and a streaming advertisement parameter specifying a position of a streaming advertisement as claimed (see [70:8-22]: disclosing the server delivering the selected show based on the user making a selection by clicking on the icon). In order for the server to deliver the appropriate show or content, the link must include information about the show requested. This information used to identify the particular show or content is a streaming media content identifier. Further, the selection of a series of videos to stream in a specific order conveys information about the placement of the videos, i.e., placement parameters. Thus, placement parameter information is included in the link that is sent to system to build the play list to deliver. The play list is built using time codes in order to place the videos in the proper sequence).

d. Applicant argues that the disclosed icon does not include a streaming advertisement parameter that specifies a position of a streaming advertisement. See Response, p. 11. As discussed above, Holtz discloses a user selecting, via icons on a webpage, and entire show or segments from a show for on-demand viewing (see [70:8-22]). The selection of a series of videos to stream in a specific order conveys information about the placement of the videos, i.e., placement parameters. The selection of a show made up of several segments is also a selection of a series of video (the segments) to stream in a specific order conveys information about the placement of the videos, i.e., in the order required by the show. Thus, placement parameter information is included in the link that is sent to system to build the play list to deliver. The play list is built using time codes in order to place the videos in the proper sequence).

11. Applicant argues that Gupta does not disclose a series of limitations present in claim 1. See Response, p. 11. However, the limitations listed are those disclosed or taught by Holtz or Abecassis.

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Gupta is relied upon in the rejection of claim 1 to teach receiving said playlist at said user computer in response to said request (see [15:42-50]: disclosing list of annotation identifiers, i.e., the playlist, with corresponding target identifier and temporal range information is provided to the user's web browser; see also [16:14-27]: disclosing the playlist is used to ensure continue play by the browser). Applicant does not dispute these teachings. See Response, pp. 11-12.

12. Applicant argues that Holtz does not teach or suggest providing HTML content related to a content stream being experienced in a media player frame in response to execution of an embedded command in the content stream. See Response, p. 12. Examiner disagrees, because Holtz discloses providing HTML content related to a content stream being experienced in a media player frame in response to execution of an embedded command in the content stream (see [73:1-15]: disclosing embedding polling or opinion gathering technologies directed to the content of a specific show segments; see also [73:16-24]: disclosing inserting URL hyperlinks into the media streams; see also [73:1-15]. The polling/opinion gathering technologies are related to the specific show segments). When a show is assembled for broadcast, the appropriate poll is streamed at the designated interval with the related show segment. The content stream includes the polling/opinion gathering technologies to be executed in the browser, which is HTML, because HTML is what is executed by a web browser to display web pages. The HTML content is related to the media content, because the polling/opinion gathering technologies are related to the specific show segments. For the sake of clarity, the following explanations of Holtz's disclosures is provided.

e. Holtz discloses embedding a command into the content stream. Holtz discloses embedding polling or opinion gathering technologies (see [73:1-15]) and URL hyperlinks (see [73:16-24]) into the media streams. Embedded commands are interpreted to include HTML content, which are commands interpreted by the web browser. For example, a URL hyperlink is a command which directs the browser to load a specified page, anchor tag, or function call.

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f. Holtz discloses a command embedded into a content stream such that related HTML content is provided in a data frame. Holtz discloses embedding polling or opinion gathering technologies (see [73:1-15]) and URL hyperlinks (see [73:16-24]) into the media streams. Embedded commands are interpreted to include HTML content, which are commands interpreted by the web browser. For example, a URL hyperlink is a command which directs the browser to load a specified page, anchor tag, or function call. Further, Holtz discloses displaying the opinion poll in the same frame as the content or a separate frame as discussed with regards to advertisements (see [73:1-15]), which is displaying HTML content in a data frame.

g. Holtz discloses a command embedded into a content stream that references HTML content related to the content stream. Holtz discloses embedding polling or opinion gathering technologies (see [73:1-15]) and URL hyperlinks (see [73:16-24]) into the media streams. Embedded commands are interpreted to include HTML content, which are commands interpreted by the web browser. For example, a URL hyperlink is a command which directs the browser to load a specified page, anchor tag, or function call. Further, Holtz discloses displaying the opinion poll in the same frame as the content or a separate frame as discussed with regards to advertisements (see [73:1-15]), which is displaying HTML content in a data frame. The HTML content, e.g., a poll about the current content being displayed, is related to (or references) the content stream.

13. Applicant argues that Holtz does not build a playlist containing a reference to streaming content that is transmitted to a user computer to a user computer. See Response, p. 14. Examiner disagrees, because Holtz discloses building a playlist containing a reference to streaming content that is transmitted to a user computer to a user computer (see [70:8-22]; disclosing the user selects a set of desired media clips in a certain order, and the system creates (builds) a "bin" playlist defining the collection of desired clips in the specific order; see also [72:11-19]; disclosing information about the video show can be

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streamed to a web page by the broadcasting station directly from the system; see also [70:8-22]: disclosing play out of the assembled segments, i.e., the streaming media, at the user's computer). Each clip/segment in the collection represented by the playlist is identified, i.e., referenced, by time code stamps and identification labels. After the playlist is complete, the streaming media referenced therein, i.e., the content of the playlist, is delivered to the player in the user's browser. This information about the streamed show can include a scheduling listing the contents and duration of the show, or data relative to a live segment or story that is currently being broadcasted. This information is the playlist that the user selected.

14. Applicant argues that Holtz fails to teach, suggest, or disclose a playlist that has at least one embedded command that includes advertisement identification information to be processed as the streaming content is being experienced at the user computer. See Response, p. 14. Examiner disagrees, because Holtz discloses a playlist that has at least one embedded command that includes advertisement identification information to be processed as the streaming content is being experienced at the user computer (see [73:1-15]: disclosing embedding polling or opinion gathering technologies directed to the content of a specific show segments; see also [73:16-24]: disclosing inserting URL hyperlinks into the media streams). When a show is assembled for broadcast, the appropriate poll is streamed at the designated interval with the related show segment. The content stream includes the polling/opinion gathering technologies to be executed in the browser. A URL hyperlink is a script command that, when executed by following it, directs the browser to take an action, e.g., loading the linked page. Both the polling and linking correspond to the content stream.

15. Applicant argues that nothing in Holtz, Gupta, or Abecassis discloses or suggests the claimed link, which comprises content identification information and an advertisement placement parameter. See Response, p. 14. Examiner disagrees, because the combination of Holtz, Gupta, and Abecassis teaches the link comprising streaming media content identification information and a streaming advertisement

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parameter, said streaming advertisement parameter specifying a position of a streaming advertisement in a content stream comprising said streaming media content.

h. Holtz discloses a link comprising streaming media content identification information and a streaming parameter that specifies a position of streaming content in a content stream comprising streaming media content (see [70:8-22]; disclosing the user clicking on one or more icons to select shows or show segments and the system assembling a content playlist having the selected video clips identified by time code stamps and identification labels). Clicking on an icon on a webpage is selecting a link in a browser and triggers loading the browser content. The shows that will be delivered are the content delivered in the content stream. The time codes stamps and identification labels are streaming parameters that specify the position of the streaming content in the content stream.

i. Neither Holtz nor Gupta specifically disclose that the content chosen by the user to be displayed at the in the streaming content at the specified position is an advertisement. However, Abecassis teaches that the content in an online streaming content system could be an advertisement (see [0385]; disclosing an architecture in which a viewer selects and retrieves a desired advertisement). When this teaching is applied the system disclosed by the combination of Holtz and Gupta, and the content in the content stream are advertisements selected by the user and displayed in the content stream at the specific point or time, the combination teaches the link comprising streaming media content identification information and a streaming advertisement parameter, said streaming advertisement parameter specifying a position of a streaming advertisement in a content stream comprising said streaming media content.

16. Applicant argues that nothing in Holtz, Gupta, or Abecassis discloses or suggests the playlist recited in claim 12 or in claim 16. See Response, p. 14. Examiner disagrees, because Holtz discloses the playlist (see [70:8-22]; disclosing building a playlist). The user selects a set of desired media clips in a

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certain order, and the system creates (builds) a "bin" playlist defining the collection of desired clips in the specific order. Each clip/segment in the collection represented by the playlist is identified, i.e., referenced, by time code stamps and identification labels. After the playlist is complete, the streaming media referenced therein, i.e., the content of the playlist, is delivered to the player in the user's browser.

17. Applicant argues that nothing in Holtz teaches, suggests, or describes request for the playlist having information that identifies a location of information to configure a frame set on a user computer. See Response, pp. 14-15. Holtz discloses a user selecting certain videos to have streamed and delivering the streaming video to the user (see [70:8-22]). "Information for configuring a frame set" is interpreted to include the information specified by the user in the request—namely, the selected videos. "Information that identifies a location" of this information is interpreted to include any information used to retrieve the videos. The request includes which shows have been selected, and the system uses this information to find, load, and deliver the requested videos. Accordingly, Holtz discloses the request for the playlist having information that identifies a location of information to configure a frame set on a user computer.

### *Conclusion*

18. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTOPHER TOKARCZYK whose telephone number is (571)270-3314. The examiner can normally be reached on M-H 5:30 am - 4:00 pm

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber, can be reached at 571-272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher B Tokarczyk/  
Examiner, Art Unit 3622

/N. C. U./  
Examiner, Art Unit 3622

/Eric W Stamber/  
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